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Commission

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CODE REVIEW PROVES RESOUNDING SUCCESS WITH PUBLIC

The public hearings on the review of the Ontario Human Rights Code have now ended and the Commissioners have begun sifting the material in more than 300 briefs preparatory to writing their report to the Government. The hearing schedule covered thirteen cities and five hearings in Toronto. Attendance ran to over 200 people at some meetings, while media coverage was extensive.

The Commission undertook this first major public review of the Code because of the social evolution which has taken place since 1962 when the Code was passed. As Commission Chairman Dr. Thomas Symons noted publicly, there have been 17 amendments since 1962, but the Commission felt that a more comprehensive examination was needed of the changing human rights needs of Ontario's citizens and residents and of the adequacy of the Code to meet those needs.

The Code Review Committee, whose Chairman is Commissioner Dr. Bruce McLeod, placed advertisements throughout the province in March calling for briefs, began the hearing schedule in May and continued it into September, with a short pause in August.

The briefs were submitted by a wide range of organizations, in addition to many individuals. Some of the most frequently aired issues have been the extension of the Code's protection to the physically disabled, to homosexuals, to parents with children (in housing), to minorities (against hate literature and unequal treatment by law enforcement agencies); protection in areas where discrimination against women is still not prohibited, for example, in housing and with regard to their marital status; and protection against discrimination on the grounds of political belief, criminal record, language and culture.

Briefs also made recommendations concerning the organizational placement of the Commission within the Government. Some urged that the Commission be separated from administrative involvement with any government ministry and others, that it be responsible to a minister other than the Minister of Labour. Briefs advocated that the Code be declared to supersede other legislation in case of conflict, that the Commission be given additional resources to place an officer in cities where there is none now, and to increase its public education activities. One vivid phrase, used in the brief from the Ontario Federation of Labour, was: "There are more people protecting animals in this province than safeguarding human rights."

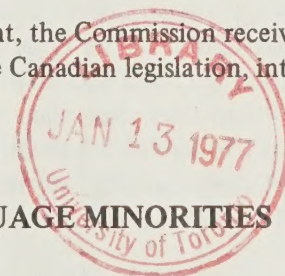
As part of the in-house research for the Commission's report to the Government, the Commission received legal material on judicial interpretations of the Code as it now stands, on comparative Canadian legislation, international experience, civil remedies, and structure and reporting relationships.

COMMISSION COOPERATES IN SPECIAL PROGRAM FOR LANGUAGE MINORITIES

The ambit of the Commission's activities adapts to changing community needs through a continual process of change and, often, of enlargement.

When cooperative activities with other Government bodies are appropriate and possible, this enables the process to take place with a minimum of strain upon the Commission's limited resources of staff and time.

An example is the special problem posed in conveying information to the many Italian-speaking workers in the construction industry in the Toronto area. The Commission cooperates in a Ministry of Labour program, organized by the Occupational Safety Branch, to help make this group aware of their obligations, rights and privileges in terms of safety on the job. The other participants are the Labourers International Union of North America, the Construction Safety Association of Ontario and the Workmen's Compensation Board.



The program began with a pilot course, given in Italian, for the Toronto and Hamilton region. It required attendance, on a voluntary basis, for two evenings a week for eight weeks. The initial success led to a decision to repeat the course, in Italian, Portuguese and English, and to consideration of extending the course to other parts of Ontario, in the appropriate language.

The Occupational Safety Branch also set up a hot line to enable workers to report safety hazards after having first reported them on the job site. The hot line, which is answered by an Italian-speaking person, has become so popular that it was covered in the press. Calls on many other subjects are received as well, including human rights complaints, which are promptly referred to the Italian-speaking human rights officer at the Commission.

BOARDS OF INQUIRY: FOCUS OF CURRENT ISSUES

A number of Boards of Inquiry have further elucidated the Code's provisions in the social context, while others have raised new and significant issues.

- I) The Code's prohibition of discrimination in housing was the subject of a trenchant comment from Professor S.N. Lederman, Osgoode Hall Law School, York University in his report on a case involving a St. Catharines landlord. He found that discrimination had taken place and noted that "if landlords were permitted to defer to the (presumed) racial prejudices of their tenants, it would defeat the main objectives of the Code."
- II) One Board of Inquiry in Ottawa involving two complaints of sex discrimination lodged by two men against the same company was settled by the parties as soon as the hearing began. BP Canada Ltd. said that the two men were not considered for cashier's jobs because of an administrative mistake and not because of a policy of discrimination. The Company agreed to compensate the men for earnings lost for a total of \$1,424., based on the period they remained unemployed following their respective job applications. The Company also agreed to interview them and, if either or both were found to be qualified, to offer them the first available positions. The company also paid court costs of \$185. The Company agreed to hold a seminar for its managers in the Ottawa area to allow Commission representatives to explain the Code to them.
- III) Changing social trends throw up new issues when they impinge on the Code's provisions. One such trend is for earlier retirement, notably on the part of unionized workers or those grouped into professional associations. Fire fighters have been negotiating collective agreements with municipalities for some time which included a mandatory retirement age of 60, with pension benefits beginning at that age. Recent economic conditions have led an increasing number of fire fighters to wish to work until 65 and delay the beginning of their pension. Hence several have lodged complaints under the age discrimination provisions of the Code, according to which no one may be obliged to cease working before 65 if he or she is physically and mentally able to fulfill their job functions.

Some complaints were successfully conciliated but two cases went to Boards of Inquiry. Despite their similarity they produced contrary decisions. In Hadley and the City of Mississauga, the Board Chairman found contravention of the Code and ordered the City to reinstate Captain Hadley, subject to his "still possessing the requisite physical and mental ability, to perform his duties." In the Case of Cosgrove and the City of North Bay, the Board Chairman ruled that no contravention of the Code occurred. His decision turned on the interpretation of section 4(6) of the Code, which provides for exceptions "where age is a bona fide occupational qualification..." The Commission has appealed this decision to the Supreme Court of Ontario, in accordance with section 14d of the Code. This is the first appeal under this provision since it was added to the Code in 1972.
- IV) The current public issue of the nationality of Canadian university faculty members renders of particular interest a Board of Inquiry decision involving a complaint by a sociology professor of discrimination on the basis of place of origin against Algoma College in Sault Ste. Marie. The Board Chairman found that discrimination had taken place within the terms of the Code. His order by way of remedy involved several contingent items, the total amount of which could rise to \$27,000. The Board Chairman wrote in his report, "Fortunately, I do not have to decide here directly whether a requirement of Canadian citizenship would be contrary to the . . . Code, but if I were called upon to do so, I would have to conclude that it is."

GOVERNMENT AND COMMUNITY LEADERS VISIT COMMISSION

The Public Commission has introduced the practice of inviting Government leaders and heads of voluntary organizations to pay a brief, informal visit at their monthly meetings. Such meetings have proven valuable in enabling exchanges of views, strengthening of links, and concerting action on particular problems. Visitors over the past year have included Premier William Davis, Attorney General Roy McMurtry, Labour Minister Dr. Bette Stephenson, Leader of the Opposition Stephen Lewis, Liberal Party Leader Dr. Stuart Smith, Mr. Edward Dunlop of the Ontario Advisory Council on the Physically handicapped, and Mr. Alan Borovoy of the Canadian Civil Liberties Association.

The visit of Mr. McMurtry reinforced a formal linkage which has been established between the Human Rights Commission and the Attorney General and his Ministry. Through a designated official, the Attorney General is in regular contact with the Commission's Committee on Liaison with Law Enforcement Agencies. Matters being dealt with include the administration of justice, relations between police and minority groups, hate literature, and the activities of extremist organizations in Toronto and other localities.

GOVERNMENT ALLOTS ADDITIONAL STAFF TO COMMISSION

Reflecting the growing demand upon the Commission's services and the increased level of activity of the new public Commission (see below), additional staff complement was given to the Commission by the Government for the current fiscal year. The staff organization was revamped to reflect the change.

The top staff position was raised to the Executive Director level. The first holder of that title is Mr. George Brown, former Assistant Director. (Mr. R.W. McPhee, who was Mr. Brown's predecessor, resigned from the Commission to take up a position with the Ministry of Culture and Recreation.)

Heading the newly created Conciliation and Compliance Branch is Mr. Naison Mawande. Reporting to him as Supervisor of Compliance is Miss Laima Svegzda. Mr. Mark Nakamura is Manager, Community, Race and Ethnic Relations.

Aside from these new positions, which were filled by promotions, other promotions were given to Mr. Jim Stratton, who became Supervisor of the Northern Ontario Region, now headquartered in Sudbury, to Mrs. Anita Dahlin, who became Supervisor of the Southwestern Ontario Region, with headquarters in London, and to Miss Sita Ramanujam, who became Supervisor of the Toronto East Region.

Four newly created positions for officers specializing in community, race and ethnic relations have also been filled.

Mr. Brown commented publicly, "We are pleased with the additional resources since human rights issues are increasing in this province." He cited the many proposals in briefs to the Code Review Committee that officers be added in cities and regions of the province where there is currently no Commission office.

EFFECTS OF PUBLIC COMMISSION BECOME EVIDENT

The transformation of the Commission into an entirely public body, through the appointment of private citizens as Commissioners in place of the former civil servants, took place one-and-a-half years ago and some effects are now perceptible.

Under the Chairmanship of Dr. Thomas Symons, the Commissioners have extended the range of their speaking and representational activities to an unprecedented level. The number and duration of Commission meetings has reached a new high. The Commission participated intensively in the Canada-wide human rights efforts highlighted by the Federal-Provincial Conference on Human Rights in December, 1975. The Chairman and Dr. Bruce McLeod made repeated public pronouncements to alert the community to racist activities.

The Commission's public visibility has been increased by virtue of all these and many other activities. But the Code review hearings launched by the public Commission have proven to be the most effective single program for enhancing public awareness of the Commission and the Code.

ARTICLES OF WIDE INTEREST IN ANNUAL MAGAZINE

The most recent issue of *Human Relations*, the Commission's annual magazine, copies of which are still available, features several articles of long-term interest.

Given the historic social pattern whereby developments in the United States frequently occur in Canada with a time-lag, a summary of U.S. affirmative action policies and their results should be relevant for some years to come. The article embodying this summary is entitled "Affirmative Action in Practice: A Prototype for Canadian Action?" The author is Professor Harish C. Jain, Associate Professor in the Faculty of Business, McMaster University.

An authoritative overview of the phenomenon of increasing racial strife in Ontario and the applicability of the law is provided by Professor Ian Hunter, Faculty of Law, University of Western Ontario. The article, "Hate and Its Control: The Problem and the Law", makes the point that where the hate propaganda provisions of the Criminal Code are inadequate to cope with extremist activities, imaginative and vigorous use of other provisions of the Criminal Code could help to curb disruptive practices.

The problems of the native peoples are illuminated through a searching light cast on the career of the Director of the Thunder Bay Indian Friendship Centre, Mr. Xavier Michon, in an article by the Commission entitled "Challenge of the Native People: One Leader's Response."

COMMISSION TV COMMERCIAL WINS PRIZES

"Forest Fable", the Commission's 60-second television commercial, has won two prizes. It was awarded second prize in the public service category at the Annual Festival of Canadian Television Commercials and it won a 1976 CLIO Award for Advertising Excellence in a competition including entries from 32 countries; this award is in the TV/Cinema category.

The commercial is in the form of animation and conveys the idea that "everyone is not the same but everyone should accept the differences of others." The Manitoba and Alberta Human Rights Commissions are making use of the film as well, with the necessary changes in identification.

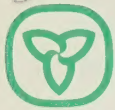
STATISTICS ON COMPLAINTS AND COMMUNITY RELATIONS ACTIVITIES

Since the beginning of the current fiscal year on April 1, and up to the end of September, the Commission registered 493 individual complaints and handled 7,343 inquiries and referrals of problems which did not fall within the Code. In the period April 1 to August 31 the Commission completed 222 community problem-solving cases, involving tension or friction situations between different ethnic or racial groups, their reduction or prevention. The total also involves work with solution-seeking community groups or encouragement of the formation of such groups.

There were 29 public education projects up to August 31, including speeches, broadcasts, interviews, consultations, workshops, and exhibits. In the same period there were 339 public information units. These include incoming telephone calls not involving complaints, mass mailings of periodicals and special materials, public relations actions, and assistance to scholars in the human rights field.

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SIX NEW BOARDS OF INQUIRY HAVE MULTI-SIDED SIGNIFICANCE

Boards of Inquiry under the Ontario Human Rights Code make news when the report of the chairman of each board is rendered (as was reported in the previous issue of *Human Rights News*) and they make news when they are first appointed because they are symptomatic in several ways.

The ultimate procedural stage in the resolution of complaints of discrimination under the Code is the appointment of a public Board of Inquiry by the Minister of Labour. As prescribed in the Code, this takes place normally when the intransigence of one of the parties renders the resolution of a complaint impossible. However the Board of Inquiry, as a quasi-judicial tribunal, also serves to provide an authoritative ruling where new social issues involve the Code in unprecedented ways. There is also the educational value to the community in which the Board of Inquiry is held.

Thus Boards of Inquiry are a kind of barometer both of public acceptance of the letter and spirit of the Code and of new social forces in our society. The six Boards of Inquiry currently on the calendar fall into either or both of these categories.

I The issue of collective agreements stipulating a retirement age of 60 which conflict with the Code's protection against age discrimination until age 65 came to a head in two Boards of Inquiry involving fire fighters. As previously reported, the decisions came to opposite conclusions and the Commission has appealed the decision in the case of Cosgrove and North Bay to the Supreme Court of Ontario. While the appeal is still pending, another similar case has eventuated in the appointment of a Board of Inquiry.

Two fire fighters for the Borough of Etobicoke in Metro Toronto, Mr. Harold E. Hall and Mr. Vincent Gray, lodged complaints when they were dismissed because they had reached the age of 60. The Commission obtained the Borough's agreement to allow the men to remain on active duty until their complaints were resolved, but the local of the International Fire Fighters Association refused to allow the Borough to do so. Hence the complainants filed complaints against the union as well.

Professor J. Bruce Dunlop, Faculty of Law, University of Toronto, was appointed Board of Inquiry Chairman. His report will have a significant impact on the outcome of six similar complaints against the cities of Windsor, Timmins and Belleville. Counsel for the Commission and the complainants will be Mr. Julian Polika, of the Ministry of the Attorney General.

II A Board of Inquiry in which the Ontario Rural Softball Association is the respondent will deal with the new issue of girls playing on boys sports teams. The coach of the Waterford boys softball team, Mr. Brent Bannerman, filed a complaint of sex discrimination on behalf of a nine-year-old girl, after his team was disqualified from the Ontario championship games because it had an "ineligible" member.

Implicit in this issue are the social implications of opening up sports team membership to girls, whether or not sports facilities for girls exist that are equal to those available for boys. The Commission's view was that a policy of "separate-but-equal" facilities denies the opportunity for challenge and advancement on the basis of merit. A pattern thus set becomes very difficult to reverse later in life.

Professor S. N. Lederman, Osgoode Hall Law School, York University, was appointed Board of Inquiry Chairman. His decision might set a precedent for similar cases of highly skilled girls who are being denied membership on hockey and baseball teams.

- III The principle of where the line is drawn as to discrimination on the basis of creed, when a religious group has a distinctive dress mandate which conflicts with an employer's dress standards, has been posed previously in complaints brought to the Commission by Sikhs who wear a turban and beard as part of their religion. Those cases were successfully conciliated, but a complaint against Security Investment Services by Mr. Isher Singh has gone to the stage of a Board of Inquiry hearing, which took place on March 3, under Professor Peter A. Cumming, Osgoode Hall Law School, York University. His report is now awaited. Mr. John Laskin was counsel for the Commission and the complainant.

In previous, similar cases the Commission took the view that the duty not to discriminate on religious grounds required by section 4 of the Code includes an obligation on the part of the employer to make reasonable accommodation to the religious needs of the employees where such accommodation can be made without undue hardship on the conduct of the employer's business.

- IV In large institutions where recruitment and hiring are handled by a numerous, multi-level personnel staff, discrimination takes on a very subtle form which can be difficult to detect. One complaint, against the Toronto General Hospital, alleges that the complainant, Mrs. Margaret Morgan, who is a black Jamaican, was the victim of that kind of discrimination. She made written application, in response to advertisements, on four separate occasions for a job as a food service supervisor, but was never referred for an interview.

The Commission's investigation provided evidence which showed that white applicants were referred and interviewed the same day even though some of them appeared less qualified than the complainant. Professor S. N. Lederman was appointed as Board of Inquiry Chairman.

- V A complaint in the social area of housing arose from an incident which received newspaper publicity in Kingston. Mr. and Mrs. Ode Lam were asked to move by their landlord, Mr. Frederick McCaw. Mr. Lam is of Chinese ancestry while his wife is of Caucasian ancestry.

After they moved they saw a sign posted in front of their former home advertising the vacancy and with the words "Aryan Caucasian adults only". The sign was photographed and appeared in the local newspaper. The complainants alleged that the landlord had made derogatory remarks about Orientals and made difficulties for them during their occupancy. The landlord denied all discriminatory intentions or actions. A Board of Inquiry has been appointed.

- VI A Gormley woman lodged a complaint which invokes for the first time a clause recently added to the Code covering a person who suffers discrimination in housing because of his or her association with another person.

Ms. Brigitte Jahn, a white woman, was evicted from a house which she rented because she had as a dinner guest a black man from Jamaica. Her landlord, Mr. Montford Johnstone, told her the man's presence "disgraced the property". A Board of Inquiry chaired by Professor Mary Eberts, Faculty of Law, University of Toronto, has been appointed.

The dates and places of the public hearings by these Boards of Inquiry will be announced as they are decided.

OHRC RESPONDS TO AND ANALYZES WORSENING INTERGROUP RELATIONS

"Racism" may be a new daily catchword to Ontario's newspaper readers and broadcast audiences but the Ontario Human Rights Commission has been in a position for some months to anticipate that the wave of interracial hostility was going to crest. It happened, so far as public awareness is concerned, at the turn of the year with three racial assaults on East Indians in Toronto's subway. On January 8th, the Commission issued a statement urging the need for the public, both organizations and individuals, to be vocal in assuring members of minority groups that such expressions of racial hostility are not representative of Ontario's public conscience.

The Commission, through its committee for liaison with law enforcement agencies, chaired by Mr. Bromley Armstrong, developing its role as a community catalyst, called a meeting of all relevant parties for January 11th. Those present were Attorney General Roy McMurtry, Toronto Transit Commission Chairman Gordon Hurlburt and Chief General Manager Michael Warren, Deputy Police Chief Jack Ackroyd, Mr. Armstrong, and the Commission's manager of community, race and ethnic relations, Mark Nakamura. There was an exploration of the role of the TTC and of the police in the context of increasing tension and conflict.

After the meeting it was announced that the OHRC will meet with the TTC and review their security arrangements and will make recommendations for improved protection of visible minority groups. The Commission will also assist the police in establishing a committee with representatives of the East Indian community; its regular meetings will greatly facilitate communication among the agencies involved. One advantage will be more thorough police investigation of violent physical attacks upon minorities in public places which will reduce fear and frustration in the South Asian community as well as dissipating their negative perception of the police.

At the January 11th meeting Mr. McMurtry reaffirmed his policy that the criminal justice system must impose penalties that reflect the gravity of racially motivated assaults.

As a response to the issues raised at the meeting Metro Toronto Chairman Paul Godfrey announced the creation of a Task Force on Human Relations to be headed by Mr. Walter Pitman, to seek to determine, among other things, whether the subway incidents reflect real and fundamental racial problems in the Toronto community. Mr. Pitman has already met with representatives of the Commission to draw on their advice and assistance with his task.

The Attorney General later held a closed meeting with 28 representatives of 20 East Indian community organizations, the police chief and deputy chief, staff members of Mr. McMurtry's ministry, OHRC Executive Director George A. Brown and Officer Howard Jones, as well as Mr. Armstrong and Mr. Nakamura. Mr. Brown commented afterwards that he felt the groundwork had been laid for a permanent resolution of the problem. He noted with encouragement the police invitation to the Asian community to participate in discussions in each police division in Metro, and to supply speakers for the police training college. Also, the TTC has now made available to the Commission advertising space on subway cars and has agreed to publish its policy to adhere to the Human Rights Code in its employee magazine.

Mr. McMurtry has asked the OHRC to seek and analyze expressions of all the concerns of the East Indian community so that he may arrange for them to be dealt with through the appropriate agencies. The Commission is doing so, in preparation for the next meeting, to which Mr. McMurtry expects to invite the Ministers of Labour and of Education.

The need for such steps involving, in particular, the Toronto East Indian community, was foreshadowed last October when this community was holding an annual religious festival which was disrupted by physical violence from white intruders resulting in at least one serious head injury. The OHRC community relations unit organized, in the neighbourhood involved, a group of community leaders and concerned citizens — teachers, clergymen, parents, the ratepayers association, the M.P.P., the aldermen, and the police community relations officers — to resolve the dispute and improve the interracial climate.

After a series of meetings a commitment was made to form an intercultural committee with a view to assuring a much different reception for next year's religious festival.

In this same period, the community relations activities of the Commission in other Ontario centres gave ample indication of an alarming increase in racial tensions. Nevertheless, the reactions which the Commission helped to generate, in city after city, strongly indicate that the majority of persons in these communities are anxious to make a purposeful and organized effort to eliminate these recent and ugly trends in intergroup relations.

In the Kitchener-Waterloo region, the East Indian community felt that the police were not responsive to the racial attacks and acts of vandalism occurring there. The OHRC local officer Victor Marcuz and regional community relations officer Doris Stern brought together the East Indian community and the Kitchener-Waterloo Regional Police Commission in several meetings and they effected a resolution condemning the racial attacks. An agreement was made to coordinate police action against these attacks and a senior police officer was appointed to coordinate police action and to continue the newly organized police-community association.

A similar network for cooperation, also arising from attacks on South Asians, was established among the Hamilton OHRC officers, the Hamilton-Wentworth Regional Police Commission and the Hamilton Anti-Racist Committee, a broadly based group which represents all sections of the community.

Following a series of assaults on McMaster University students of Chinese origin, OHRC officers were instrumental in establishing a human rights committee at the University composed of members of the administration and students. This committee will address itself to these tensions and to the development of human rights and race relations programs in the university at large.

Residents of the Westdale area of Hamilton, where McMaster University is located, became alarmed by attacks on South Asians in their neighbourhood during the last academic year, and later organized, in the fall of 1976, programs to foster better race relations. They have enlisted churches, schools and the police in support, and the Commission's local community relations officer has been closely involved.

In the Regional Municipality of Peel a group of concerned citizens, noticing a general increase in racial tension and violence in nearby communities, took preventative steps to avoid their spread to the Peel region. They formed an intercommunity relations committee to develop means to promote racial harmony. OHRC officers actively participated in the formative process. The committee obtained the cooperation of Brampton's mayor, the local member of Parliament, the chief of police, and Board of Education trustees. Sub-committees were formed for police-minority relations, and school-community relations. The OHRC is represented on each sub-committee.

Because much intergroup conflict involves unlawful conduct, the close cooperation of law enforcement authorities is an urgent necessity. Also, there is a need to improve relations between police and minority groups everywhere, and to increase the confidence of these groups in the police. Accordingly, the OHRC's Windsor officer took an initiative which has resulted in the first Commission in-service training program for police outside of the Toronto area. A pilot project is now underway in Windsor, consisting of an in-depth

training unit for police officers. It will be given in twelve three-hour sessions, and will involve the whole police force. The two OHRC officers who will give each session will use case studies as illustrations of police-minority relations and will bring in community and minority group resource people to participate in the seminars. This pilot project may become a model to be used with other Ontario police forces.

COMMISSION'S PUBLIC EDUCATION ROLE BUTTRESSED BY LINK WITH MINISTRY OF EDUCATION

A new working relationship in human rights in education was initiated last December when the Minister of Education, the Honourable Thomas Wells, visited the Commission's monthly meeting. Accompanying him were the Deputy Minister of Education, G. H. Waldrum, and Ministry experts on multiculturalism and education for native people.

An informal committee was then established to develop a cooperative relationship in the areas of curriculum, textbook content, and professional development of teachers and administrators to increase their awareness of the problems of foreign-born students in the schools. Mr. Wells described a multicultural policy for schools as requiring a human rights perspective in academic curricula, one which recognizes the historical and cultural contributions of all groups.

There was also discussion of the need for teachers to be more sensitive to cultural differences and the effects of prejudice on minority students. In-service training and human rights workshops for teachers can enable them to communicate classroom material more effectively to students from countries with very different teaching techniques and classroom facilities and materials. Also, teachers should develop a greater tolerance of minority customs and learning styles. An illustrative example of non-acceptance was given by a Ministry of Education specialist in multiculturalism: in a family of Polish origin the son, Andrzej, was told by his teacher that he must be called "Andrew". When he grew up, married, and sent his son, Andras, to school, the teacher told *him* that *he* was to be known as "Andrew".

It was agreed that there should be more teachers who are members of visible minority groups. This would enable minority students to see their authorities as knowledgeable about their problems, and sympathetic to them. It would also help in situations where principals and teachers are uncertain about methods of remedial training and discipline.

Liaison persons were designated for both the Ministry of Education and the Commission to elaborate plans based on the issues discussed at the meeting.

There has been increasing OHRC staff involvement in establishing working relationships between the Commission and the school systems at all levels: the classroom, the school and the school board. Being explored are programs in multiculturalism and race relations, with respect to curriculum content and workshops for staff development. School boards involved include the City of Toronto; the Boroughs of Scarborough, York and North York; the Peel region; and Hamilton.

Requests from schools have increasingly been for assistance in race relations problems. The expertise thus built up will now have a forum for cooperative work with the Ministry of Education, through the liaison committee.

A CASE STUDY:

RECRUITMENT OF FIRE FIGHTERS BY CITY OF TORONTO

The Commission has frequently published anonymous case studies of individual complaints in order to illustrate the process of investigation and conciliation, while maintaining the principle of confidentiality. The case study described here represents an extension of the Commission's compliance function beyond individual complaints to situations where built-in, systemic discrimination, however unintentional, has existed over a long period of time, as expressed in traditional recruitment and hiring practices which operate to exclude minorities from employment opportunities.

A survey by the Canadian Civil Liberties Association revealed that there were only two visible minority members among Toronto's fire fighters. When the survey was made public, the Commission's Executive Director offered his services to the Mayor of Toronto with the objective of achieving a more accurate reflection of Toronto's ethnic composition among its fire fighters. Several meetings were held, attended by personnel and other municipal officials, the fire fighter union, and the C.C.L.A. The Commission learned the fire fighter positions were traditionally not advertised. Rather, lists of applicants were kept over a period of years and vacancies were filled from the lists. This recruitment method had a strong nepotist bias and favored friends or relatives of present members of the force. Visible minority members had little opportunity to add their names to the lists.

The City agreed to consider new methods of recruitment, which would encourage applications from the broadest cross-section of Toronto's population, as well as to institute a new entrance test for the screening of applicants. The City achieved this by widening the scope of its affirmative action program, which was originally limited to providing equality of opportunity for women.

The City took a number of action steps. It discontinued use of the lists for the 1977 recruitment drive except for the first 51 names, who had already been tested and pre-screened. The latter were referred to the Fire Department at the same time as the successful candidates in the new, once-a-year recruitment drive, which began last September. The drive was widely advertised in the Toronto press and community and cultural organizations were advised of it.

Candidates took an entrance test, in the form of a written examination. A copy of the examination was given to the Commission for comment, to ensure that there were no artificial barriers to employment of minority applicants. The Commission also approved the text of the advertisement. Tight scheduling of the recruitment drive did not allow time for changes to be made which the Commission advocated, but these will be suggested again next year, when the Commission reviews the program.

The Commission's changes applied both to the examination and the advertisement. It was felt that the examination favoured those who were already familiar with fire fighting terminology and that, to compensate in part for this, the advertisement should state that knowledge of the terminology would be an advantage. The City did agree to advise all applicants, before they took the examination, to acquaint themselves with the technical vocabulary.

As was stated by the Commission in the final letter closing out the project until next September, the City of Toronto government "has made important contributions in this significant review of recruitment policy" and the community has benefitted from it.

A CASE STUDY: RACIAL TENSION AMONG IMPORTED WORKERS IN NORTHERN ONTARIO

Six black workers at a paper mill in northern Ontario were involved in a conflict situation with white co-workers; all had been flown up north by the employer and were not native to the area. The friction culminated in a serious fight at the company's residential camp-site in which one man had his jaw broken. The six were then removed from the site under police escort. In Toronto they filed complaints of discrimination in employment and housing because of their race and colour under the Human Rights Code.

The complainants said that the local police did not take the fight seriously, were late in arriving after being called, did not pursue the investigation with vigour, and laid no charges. Therefore, in addition to the investigation of the complaints, the Commission moved to determine that the judicial process was properly carried out. The Commission's officers in the north investigated not only the complaints, but also the allegations concerning the police. Their findings on the latter issue were conveyed to the Ministries of the Attorney General and the Solicitor General, and to the O.P.P. As a result, the local police chief retired and the Solicitor General's ministry conducted another inquiry, identifying two assailants and issuing Canada-wide warrants for their arrest. The O.P.P. also began an inquiry into the manner in which the local police had reacted to the fight. The Commission's officer in Thunder Bay is being kept abreast of the investigation by the new police chief.

While the complex investigation of the complaints proceeds, the northern officers will also work with the company to lessen the tension among workers, through a preventative community relations program.

STATISTICS ON COMPLAINTS AND COMMUNITY RELATIONS ACTIVITIES

Since the beginning of the fiscal year on April 1, 1976, and up to the end of December, 1976, the Commission handled 780 individual complaints and 10,350 inquiries and referrals of problems which did not fall within the Code.

The Commission completed 1395 community problem-solving cases, involving tension or friction situations between different ethnic or racial groups, their reduction or prevention. The total also involves work with solution-seeking community groups or encouragement of the formation of such groups.

There were 86 public education projects, including speeches, broadcasts, interviews, consultations, workshops, and exhibits.

Public information units totalled 505. These include incoming telephone calls not involving complaints, public relations actions, mass mailings of periodicals and special materials, and assistance to scholars in the human rights field.

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